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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/521,458

01/27/2006

Heinrich Reutter

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EXAMINER

WALKER, NED ANDREW

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/521,458	Applicant(s) REUTTER, HEINRICH	
	Examiner NED A. WALKER	Art Unit 3781	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 6-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 January 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>01/18/05</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. In response to the Preliminary Amendment filed on January 18th, 2005, comprising amendments to the specification including the claims. Claims 1-5 have been cancelled and claims 6-16 are pending.

Drawings

2. New corrected drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required in this application because:

The drawings have a line quality that is too light to be reproduced. The weight of all lines and letters must be heavy enough to permit adequate reproduction. Refer to 37 CFR 1.84(I). See Figure(s) 1 – 2.

The drawings contain deficient reference characters. All drawings must be made by a process which will give them satisfactory reproduction characteristics. Every line, number, and letter must be durable, clean, black (except for color drawings), sufficiently dense and dark, and uniformly thick and well-defined. Reference characters (numerals are preferred), sheet numbers, and view numbers must be plain and legible. Refer to 37 CFR 1.84(I) and 1.84(p(1)). See Figure(s) 1 – 2.

The drawings contain improper use of arrows. Arrows may be used at the ends of lines, provided that their meaning is clear, as follows: (1) On a lead line, a freestanding arrow to indicate the entire section towards which it points; (2) On a lead line, an arrow touching a line to indicate the surface shown by the line looking along the

direction of the arrow; or (3) To show the direction of movement. Refer to 37 CFR 1.84(r). See Figure(s) 1 – 2.

The drawings make improper use of shading. The use of shading in views is encouraged if it aids in understanding the invention and if it does not reduce legibility. Shading is used to indicate the surface or shape of spherical, cylindrical, and conical elements of an object. Such shading is preferred in the case of parts shown in perspective, but not for cross sections. Solid black shading areas are not permitted, except when used to represent bar graphs or color. Refer to 37 CFR 1.84(m) and 1.84(h(3)). See Figure(s) 1 – 2.

The drawing sheet numbering is formatted improperly. The drawing sheet numbering must be clear and larger than the numbers used as reference characters to avoid confusion. Refer to 37 CFR 1.84(t). See Figure(s) 1 – 2.

3. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Specification

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The title should include at least one technical or inventive feature set forth in the application.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 6-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Reutter (DE 100 12 184 A1). For purposes of clarity, US Pub. No. 2003/0150859, will be used as a translation for this German publication.

Regarding claim 6, Reutter et al. ('184) teaches a closure cap (11) for a reservoir opening having: a cap outer part (13); a cap inner part (14), retained on said cap outer part, said cap inner part defines a sealing seat (32) and an axially open annular groove (groove adjacent 31); and a valve assembly (15) situated in said cap inner part, for opening and blocking a flow connection between the inside of the reservoir and the outside of the reservoir, said valve assembly having a valve body (18) movable back and forth and which is resiliently prestressed, and pressed against said sealing seat and which can be lifted from said sealing seat if a defined limit value of the internal reservoir pressure is exceeded ('859 [0002]) , wherein said sealing seat is formed by an O-ring (31) retained in said axially open annular groove, and said annular groove is radially widened by venting pockets (51) provided on a circumferential edge of said annular groove (figures 3 and 4).

Regarding claim 7, Reutter et al. ('184) teaches said venting pockets radially adjoin the outer circumferential edge of said annular groove (figure 4).

Regarding claims 8 and 11, Reutter et al. ('184) teaches said venting pockets extend over the entire depth of said annular groove (figure 4).

Regarding claim 9, 12, and 13, Reutter et al. ('184) teaches said venting pockets are distributed uniformly over the circumference of said annular groove (figure 4).

Regarding claim 10, and 14-16, Reutter et al. ('184) teaches said venting pockets are formed by narrow radial slots (figure 4).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NED A. WALKER whose telephone number is (571)270-3545. The examiner can normally be reached on Monday - Friday 7:30 AM - 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Stashick can be reached on 571-272-4561. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NW

/Anthony D Stashick/
Anthony Stashick
Supervisory Patent Examiner, Art Unit 3781